United Nations S/PV.5095

Security Council

Fifty-ninth year

Provisional

5095th meeting

Tuesday, 7 December 2004, 4.50 p.m.

New York

President:	Mr. Baali	(Algeria)
Members:	Angola	Mr. Lucas
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	Chile	Mr. Andereya
	China	Mr. Zhang Yishan
	France	Mrs. Collet
	Germany	Mr. Von Ungern-Sternberg
	Pakistan	Mr. Akram
	Philippines	Mr. Lacanilao
	Romania	Mr. Dumitru
	Russian Federation	Mr. Konuzin
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Mr. McGurk
	United States of America	Mr. Fendrick

Agenda

The situation concerning the Democratic Republic of the Congo

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04-63819 (E)

The meeting was called to order at 4.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President (*spoke in Arabic*): I should like to inform the Council that I have received a letter from the representative of the Democratic Republic of the Congo, in which she requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite the representative of the Democratic Republic of the Congo to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mrs. Booto (Democratic Republic of the Congo) took a seat at the Council table.

The President (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members to document S/2004/935, containing a letter dated 30 November 2004 from the representative of the Democratic Republic of the Congo, and documents S/2004/933 and S/2004/951, containing letters dated 30 November 2004 and 6 December 2004, respectively, from the representative of Rwanda.

After informal consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council expresses its very deep concern at multiple reports of military operations by the Rwandan army in the eastern part of the Democratic Republic of the Congo and at threats by the Government of Rwanda in that regard. It recalls its adherence to the respect for the sovereignty of all States, and underlines that the threat or use of force against the territorial integrity of any State is contrary to the purposes and principles stated in the Charter of the United Nations.

"The Security Council strongly condemns any and all such military action, recalling that they are contrary to its resolutions, and in particular to resolution 1565 (2004), by which it urged each of the Governments of the Democratic Republic of the Congo, Burundi, Rwanda and Uganda, to ensure that the territory of its country was not used to infringe the sovereignty of the others.

"The Security Council demands that the Government of Rwanda withdraw without delay any forces it may have in the territory of the Democratic Republic of the Congo, and calls on all States in the region to refrain from any action or statement that contravenes international law or undermines the already fragile stability in the region or the transitional process supported by the international community.

"The Security Council notes that those reported events and threats are contrary to all peace agreements, declarations and protocols signed by regional States since the 1998 commencement of hostilities in the Democratic Republic of the Congo. It underlines that those events and threats, arising after the International Conference on the Great Lakes Region of Africa, are contrary to the commitments taken by the regional heads of State, in the Declaration adopted in Dar es Salaam on 20 November 2004, to settle their disputes in a peaceful manner, and are all the more unacceptable.

"The Security Council calls on all Governments in the region to commit themselves to and make full use of multilateral mechanisms they have agreed to establish, including the Joint Verification Mechanism and the Tripartite Commission, for the peaceful resolution of bilateral disputes. It further calls on the Government of Rwanda, as well as all Governments in the region, to devote their resources to the promotion of peace, stability, democracy and development.

"The Security Council urges all Member States fully to comply with their obligations under resolution 1493 (2003), which imposed an

arms embargo in the district of Ituri and the provinces of North and South Kivu.

"The Security Council recognizes that continued tension in the eastern part of the Democratic Republic of the Congo undermines peace and security in the region, and in particular that the presence of ex-FAR and Interahamwe is a source of instability, a threat to civilian populations and an impediment to good-neighbourly relations between the Democratic Republic of the Congo and Rwanda. It considers the armed presence and activities of ex-FAR and Interahamwe elements in the eastern part of the Democratic Republic of the Congo to be unacceptable and demands that they disarm and disband without delay, with a view to their repatriation or resettlement.

"In that regard, the Security Council welcomes steps taken to set up the plan established by the Congolese authorities, with the support of the United Nations Organization Mission in the Democratic Republic of the Congo, aimed at accelerating the disarmament and demobilization of foreign armed groups. It calls on the Governments of Rwanda and the Democratic Republic of the Congo to explore ways to facilitate the voluntary repatriation of those combatants, based on the existing mechanisms. It urges the Congolese authorities to do all possible to effectively disarm those armed groups as a matter of urgency in the interest of stability in the Democratic Republic of the Congo, the security of Rwanda and Burundi, and the establishment of peace and stability in the region.

"The Security Council further calls in this regard on the Congolese authorities to accelerate the integration of the armed forces of the Democratic Republic of the Congo, and encourages the donor community to provide coordinated financial and technical assistance to that important task.

"The Security Council condemns any attempt aimed at undermining the unity and territorial integrity of the Democratic Republic of the Congo.

"The Security Council expresses its intention to consider further actions, including measures that may be taken against those individuals who, by their actions or statements, compromise the peace and transition process in the Democratic Republic of the Congo."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/45.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5 p.m.